



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

OCT 19 2011

Carol V. Crawford, P.E.
Wisconsin Department of Natural Resources
2984 Shawano Avenue
Green Bay, Wisconsin 54313-6727

Re: EPA comments on the draft Title V permit for Wisconsin Public Service Corporation JP Pulliam, permit # 405031990-P21

Dear Ms. Crawford:

The U.S. Environmental Protection Agency has reviewed the draft Title V permit #405031990-P21, for JP Pulliam. It is our understanding that the public comment period for this permit expires on or around October 23, 2011. EPA has the following comments on this permit, as discussed below.

1) In an email message from you to Susan Kraj on 9/06/2011, there was a discussion on construction permit #07-SDD-311 and the sulfur dioxide (SO₂) limit in that permit. In that email, you stated in part:

"Permit #07-SDD-311 specified (for the first time) that the SO₂ emission limit of 4.20 lb/mmBtu is based on a 3-hour rolling average. It also for the first time included a limit of 3.31 lb/mmBtu based on a 24-hour rolling average. Before Permit #07-SDD-311 was issued, the Title V permits defined excess emissions as based on a 24-hour average, even though the emission limit of 4.20 lb/mmBtu was in place to protect the 3-hour National Ambient Air Quality Standard (NAAQS). Permit #07-SDD-311 did not change the Title V condition defining excess emissions, even though it established both a 24-hour and a 3-hour emission limit. I have revised the Condition A.4.c.(4) so that it defines excess emissions for both limits."

Were the limits in permit #07-SDD-311 that included the 3-hour and 24-hour timeframes being newly established in the construction permit, or were these limits existing limits being revised? Why were the 3-hour and 24-hour timeframes included with the limit? Were these limits created in order to establish a Best Available Control Technology limit, or in order to establish a limit to ensure the NAAQS are maintained?

2) On pages 17-22 of the Preliminary Determination for the draft Title V permit, there is a discussion on which conditions from permits #87-AJH-027 and #88-AJH-101(A) will be included in the Title V permit. Some conditions, such as general limits, will not be included in the Title V permit. Wisconsin Department of Natural Resources (WDNR) stated that the reason for this is that "It is no longer WDNR policy to include emission limits in permits based solely on the general limitation in s. NR 417.03, Wis. Adm. Code." In addition, some conditions from these past permits are specific limits, such as for particulate matter, and will not be included in the Title V permit. WDNR stated that the reason for this is that "It is no longer WDNR policy to include emission limits in permits to document allocation of the available air resource under the authority of s. 285.65(6), Wis. Stats."

EPA's White Paper, "White Paper for Streamlined Development of Part 70 Permit Applications" from Lydia N. Wegman, issued July 10, 1995, discusses the incorporation of prior new source review (NSR) permit terms and conditions into the Title V permit. It provides in part:

"The Agency has concluded, however, that only environmentally significant terms need to be included in part 70 permits. The EPA recognizes that NSR permits contain terms that are obsolete, extraneous, environmentally insignificant, or otherwise not required as part of the state implementation plan (SIP) or a federally-enforceable NSR program. Such terms, as subsequently explained, need not be incorporated into the part 70 permit to fulfill the purposes of the NSR and Title V programs required under the Act."

Could you please explain why the conditions from permits #87-AJH-027 and #88-AJH-101(A) discussed above are "are obsolete, extraneous, environmentally insignificant, or otherwise not required as part of the SIP or a federally-enforceable NSR program" and are therefore not applicable requirements necessary to be included in the Title V permit?

Please let us know if we can provide assistance to you to help resolve these comments. If you would like to discuss this matter further or have any questions, please feel free to contact me or Susan Kraj, of my staff, at (312)353-2654.

Sincerely,



Genevieve Damico
Chief

Air Permits Section